

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	CV 22-5304-PD	Date	April 7, 2023
Title	Susana C. Osuna v. Kilolo Kijakazi		

Present: The Honorable	Patricia Donahue, United States Magistrate Judge
Isabel Verduzco	n/a
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:
None present	None present

**Proceedings: Order to Show Cause Re: Dismissal**

On July 29, 2022, Plaintiff filed a Complaint for Review of Final Decision of the Commissioner of Social Security and a Request to Proceed in Forma Pauperis with Declaration in Support (“IFP Request”). [Dkt. Nos. 1, 2.] On August 4, 2022, District Judge Carney issued an Order on Plaintiff’s IFP Request finding that Plaintiff had not submitted enough information for the Court to determine whether Plaintiff is able to pay the filing fee and postponed the ruling on the IFP Request for 30 days so Plaintiff could provide further information. [Dkt. No. 9.] Plaintiff was ordered to “state the amount received from each source” in response to question (2); “state the amount of money held” in the specified checking account “in each of the six (6) months prior to the date of th[e] declaration” in response to question (3); and to “state [the] approximate value” of the property indicated in response to question (4). [*Id.*] The Order stated that the failure to comply with the instructions within 30 days would result in the dismissal of the case without prejudice. [*Id.*]

To date, Plaintiff has not responded to the Court’s August 4, 2022 Order nor has Plaintiff paid the filing fee.

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Pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, an action may be subject to involuntary dismissal if a plaintiff “fails to prosecute or to comply with these rules or a court order.” Accordingly, the Court could properly dismiss the action for Plaintiff’s failure to timely comply with the Court’s August 4, 2022 Order.

In the interests of justice, **Plaintiff is ORDERED TO SHOW CAUSE on or before April 21, 2023**, why the Court should not dismiss this action for Plaintiff’s failure to comply with the Court’s Order.

Plaintiff may discharge this Order by filing:

(1) a request setting forth good cause for an extension of time to provide the information requested by the Court and a declaration signed under penalty of perjury, explaining why she failed to comply with the Court’s August 4, 2022 Order;

(2) provide the requested information in the August 4, 2022 Order, including, stating the amount received from each source in response to question (2); stating the amount of money held in the specified checking account “in each of the six (6) months prior to the date of th[e] declaration” in response to question (3); and stating the approximate value of the property indicated in response to question (4); or

(3) pay the filing fee.